

**FILED
UNDER
SEAL**

Prob12C
D/NV Form
Rev. March 2017

United States District Court
for
the District of Nevada

PETITION FOR SUMMONS
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Brejonique Walters**

Case Number: **2:16CR00011**

Name of Sentencing Judicial Officer: **Honorable Jennifer A. Dorsey**

Date of Original Sentence: **September 6, 2016**

Original Offense: **Possession of Controlled Substance with Intent to Distribute
(methamphetamine) & Felon in Possession of a Firearm**

Original Sentence: **30 Months prison, followed by 36 Months TSR.**

Date of Prior Revocation: **January 13, 2020**

Revocation Sentence: **8 months custody followed by 28 months TSR**

Date Supervision Commenced: **December 16, 2020**

PETITIONING THE COURT

☒ To issue a summons:

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Do Not Unlawfully Use Controlled Substance** - You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests, thereafter, as determined by the court, not to exceed 104 tests annually.
 - A. Walters admitted to the use of marijuana at the onset of supervision, however she has failed to cease using the substance and has submitted positive drug tests for marijuana on the following dates:

RE: Brejonique Walters

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- December 26, 2020
- December 28, 2020
- December 29, 2020
- December 31, 2020
- January 16, 2021
- January 25, 2021
- January 31, 2021
- February 4, 2021
- February 9, 2021
- February 16, 2021
- February 21, 2021
- March 22, 2021
- March 26, 2021
- March 29, 2021
- April 3, 2021
- April 13, 2021
- April 24, 2021
- April 26, 2021

- B. On March 26, 2021, Walters submitted a positive drug test for cocaine and this test was confirmed positive for the substance by the national lab.

RE: Brejonique Walters

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U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the
information contained herein is true and correct,

Executed on April 29, 2021

 **Donnette
Johnson**
2021.04.29
16:02:36 -07'00'

Donnette Johnson
United States Probation Officer

Approved:

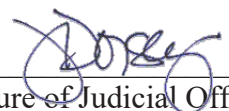


Digitally signed by Brian
Blevins
Date: 2021.04.29 15:45:46
-07'00'

Brian Blevins
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
☐ The issuance of a warrant.
☒ The issuance of a summons.
☐ Other:


Signature of Judicial Officer

5/3/2021

Date

RE: Brejonique WaltersProb12C
D/NV Form
Rev. March 2017**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. BREJONIQUE WALTERS, 2:16CR00011**

SUMMARY IN SUPPORT OF PETITION FOR SUMMONS

April 29, 2021

On September 6, 2016, Walters was sentenced by Your Honor to 30 months imprisonment, followed by three years of supervised release for committing the offenses of Possession of a Controlled Substance with Intent to Distribute (Methamphetamine), and Felon in Possession of a Firearm. On May 15, 2018, Walters commenced her term of supervision in the District of Nevada. On January 13, 2020, Walters appeared before Your Honor for a hearing on violations of her supervised release and her supervision term was revoked. Walters admitted to violating the following conditions of supervision: refrain from unlawful use of a controlled substance, Report change of residence or employment, be truthful and Shall not commit crime. Walters was sentenced to eight (8) months custody followed by 28 months of supervised release. On December 16, 2020, Walters commenced her second term of supervised release.

On December 18, 2020, Walters reported to the probation office and met with supervision officer to review her conditions and was provided a copy for her records. Walters was advised that she would be enrolled in random drug testing and be referred to Substance Abuse and Mental Health treatment. Walters immediately had a negative disposition and advised she did not need nor did she want to do substance abuse treatment because she previously completed a program last time on supervision. Due to Walters resistance this officer contacted her attorney to assist with speaking to Walters to encourage her to comply with the conditions of supervision. A joint discussion with Walters proved helpful and she reported for drug testing as required and completed her initial assessment for Mental Health and Substance Abuse treatment at Choices Counseling.

After completing her first drug test at Westcare, Walters admitted to this officer that she was pregnant and had used marijuana prior to her being released from custody. This officer admonished her about the drug use and explained to her that marijuana use was prohibited while she was on supervision. Walters advised she understood; however, she continues to submit positive drug tests for marijuana each time she is tested. On March 9, 2021, this officer had a discussion with Walters and she stated her positive drug tests were due to residual use, however this officer advised her that one of her conditions was to be truthful with probation and she then advised that she had recently reused marijuana. Walters explained that she had been having morning sickness and marijuana seemed to be the only thing that helped her. This officer again admonished Walters for her drug use and directed her to see a physician and report her current drug use to the doctor so she could be prescribed a valid prescription for something that would address her illness, instead of using marijuana. On March 26, 2021, Walters submitted a positive drug test for cocaine and marijuana. Walters admitted to the marijuana use but denied any use of cocaine.

RE: Brejonique Walters

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On April 13, 2021, Walters reported attending an appointment with her doctor and advised she disclosed her marijuana use and was prescribed Ondansetron and provided a copy of the prescription. Walters reported that this was her first doctor visit since being pregnant and she was advised she was now about six months pregnant with a due date of August 2021. To Walters credit, although her negative attitude can be a struggle to deal with, she has complied with all the things this officer has requested of her except for the substance abuse issue. It should be noted that she has missed a few drug tests due to being ill, and these were excused by the probation officer; however, she has consistently reported for drug testing when scheduled.

Although she is attending substance abuse and mental health treatment Walters has more than 3 positive drug tests within this calendar year and is at the point of mandatory revocation. This officer has addressed drug use with Walters, but she continues to test positive for marijuana and has had no negative drug tests since the start of supervision. Walters continued drug use is especially concerning because she is currently pregnant, and this officer is concerned about the welfare of the child. It is respectfully recommended Walters appear before the Court to initiate revocation proceedings.

Respectfully submitted,



Donnette Johnson

2021.04.29

16:03:16 -07'00'

Donnette Johnson

United States Probation Officer

Approved:



Digitally signed by Brian
Blevins

Date: 2021.04.29 15:46:10
-07'00'

Brian Blevins

Supervisory United States Probation Officer